

REMARKS

This Amendment is being filed in response to the Office Action mailed March 8, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

In the Office Action, claims 1-9 and 11-19 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,787,292 (Ottesen). It is respectfully submitted that claims 1-9 and 11-19 are patentable over Ottesen for at least the following reasons.

Ottesen is directed to a power saving method and apparatus for a disk drive. FIGs 2, 3A-3B and 9A-9B show various components of the disk drive. In particular, FIGs 3A and 9B show a host system interface 340 that provides a signal to an activity monitor 330. As recited on column 10, line 66 to column 11, line 6, the signal from the host system interface 340 of the disk drive itself indicates the battery power level. When the battery level is below a predetermined set value, then a disk drive controller 335 (FIGs 3A and 9A) of the disk drive itself places the disk drive into a

low power mode. That is, the Ottesen disk drive includes the controller that switches the drive between different modes.

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claims 8-9 which, amongst other patentable elements, requires (illustrative emphasis provided):

wherein said switching means is external to said optical record carrier recording apparatus.

It is respectfully submitted that Ottesen does not teach or suggest any external drive switching means. Rather, the Ottesen drive is controlled by elements internal to the drive itself.


Accordingly, it is respectfully submitted that independent claims 1 and 8-9 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-7 and 11-19 should also be allowed at least based on their dependence from independent claims 1 and 8-9.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to

submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 
Dicran Halajian, Reg. 39,703
Attorney for Applicant(s)
May 29, 2007

THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101